

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

SIE JOE LANN,

Plaintiff,

VS.

CANDICE MOORE, *et al*,

Defendants.

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CIVIL ACTION NO. C-09-329

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DISMISS
CERTAIN CLAIMS AND RETAIN CASE**


On January 14, 2010, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that the Court retain plaintiff's denial of access to the courts claim against Candace Moore, and that service be ordered on this defendant. The Memorandum and Recommendation recommended further that the Court dismiss plaintiff's remaining claims against the remaining defendants for failure to state a claim. See 28 U.S.C. § 1915(e)(2)(B) and § 1915A(b)(1). On January 28, 2010, plaintiff filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and plaintiff's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that plaintiff's denial of access to the courts claim against Candace Moore is retained on the Court's docket. It is further ORDERED that plaintiff's remaining claims against the remaining defendants are dismissed for failure to state a claim.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 22nd day of February, 2010.



Janis Graham Jack
United States District Judge